

SECOND REGULAR SESSION

HOUSE BILL NO. 1356

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MERIDETH, BOUCHER,
CARNAHAN AND GRAHAM (Co-sponsors).

Pre-filed January 2, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3485L.011

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to a family training program for special education.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be
2 known as section 167.675, to read as follows:

**167.675. 1. The "Missouri Family Training Program for Special Education" is
2 hereby established to provide training and in-depth information to all Missouri families
3 who have children who receive or are eligible for special education or early intervention
4 services, to include information on:**

5 **(1) Laws, regulations, policies, plans, and the benefits of focusing on student
6 learning and outcomes which influence the special education and early intervention
7 systems in the state of Missouri, including an explanation of the procedural safeguards
8 contained within Sections 1415 and 1439 of Title 20 of the United States Code;**

9 **(2) Family, school and community responsibilities in the special education and early
10 intervention processes, with special emphasis on the individualized education program and
11 individualized family service plan processes;**

12 **(3) Methods of interacting and communicating effectively with professionals and
13 appropriate methods of resolving conflicts with others;**

14 **(4) Participation in, and the significance of local and statewide assessment
15 programs and achievement tests;**

16 **(5) State and local requirements for graduation; and**

17 **(6) Transition planning for the transitions from participation in the early
18 intervention system to participation in the early childhood special education system,**

19 participation in the early childhood special education system to participation in the K-12
20 special education system, to follow on education and individual services.

21 2. There is hereby created in the state treasury the "Missouri Family Training
22 Fund for Special Education" which shall be administered by the division of special
23 education of the department of elementary and secondary education. Moneys in the fund
24 shall, upon appropriation, be used to establish and maintain the Missouri family training
25 program for special education, pursuant to the provisions of this section. The provisions
26 of section 33.080, RSMo, to the contrary notwithstanding, all the moneys in the fund
27 created in this section shall not be transferred and placed to the credit of the general
28 revenue fund at the end of each biennium.

29 3. The division of special education shall implement the Missouri family training
30 program for special education by the provision of financial assistance, subject to
31 appropriations to the Missouri family training fund, in the form of grants to recipients of
32 the "parent training and information centers grant" pursuant to Section 682 of the
33 Individuals with Disabilities Education Act. The division shall ensure program
34 accountability and shall monitor and evaluate all organizations which receive grants
35 pursuant to the provisions of this section. Such evaluations shall contain but shall not be
36 limited to the following:

37 (1) A determination that the organization maintains a philosophy which holds that
38 all children should receive an education which enables them to achieve their personal
39 educational goals, and that a high level of family involvement in the educational process
40 is critical to this endeavor;

41 (2) A determination that the organization provides Missouri's families with
42 information and training that will enable them to become full, active participants in the
43 education of their children;

44 (3) A determination that the organization provides information and training in
45 clear and concise language and in accessible formats for the benefit of all Missourians;

46 (4) A determination that the organization has clear program priorities, explores the
47 use of new information technologies, and investigates methods of increasing program
48 effectiveness through annual program and financial planning;

49 (5) A determination that the organization uses sound organizational, personnel and
50 volunteer management practices;

51 (6) A determination that the organization practices sound fiscal management;

52 (7) A determination that the organization maintains an evaluation system adequate
53 to measure the performance of the program and maintains records of these evaluations for
54 a minimum period of three years; and

55 (8) A determination that the organization is committed to encouraging parents and
56 schools to work together for the benefit of children.

57 4. All organizations receiving funds from the Missouri family training program for
58 special education grant shall utilize the most modern and efficient technologies available
59 and work closely with local community partners to deliver the products and services
60 described in this section, without charging districts for the printing and delivery of the
61 product to the districts.

62 5. It shall be the responsibility of local school districts, system point of entry
63 contractors, and early intervention service coordination providers to distribute an
64 informational product of no larger than four sheets, provided by the Missouri family
65 training program for special education, to all families of Missouri children who receive
66 special education or early intervention services.

67 (1) These products shall contain:

68 (a) A clear overview of the special education or early intervention process,
69 emphasizing the roles of all family members in the process;

70 (b) Information designed to clarify the rights and responsibilities described within
71 Sections 1415 and 1439 of Title 20 of the United States Code, also known as the procedural
72 safeguards for children and parents; and

73 (c) Resources that families can access to provide more in-depth information and
74 training on issues related to the education of their children.

75 (2) This product shall be provided to local districts prior to the beginning of each
76 academic year and shall be distributed to the parents of students whenever:

77 (a) A student has been referred for evaluation to determine eligibility for special
78 education services;

79 (b) Notification is given of the first individualized education program meeting of
80 the current academic year; or

81 (c) Consideration is given to the reevaluation of the student's eligibility for special
82 education services.

83 (3) The early intervention version of this product shall be provided to all system
84 point of entry contractors and early intervention service coordination providers during the
85 second quarter of the state of Missouri's fiscal year and shall be distributed to the parents
86 of all children receiving early intervention services at the beginning of their participation
87 in the early intervention program and at the beginning of each individualized family
88 service plan year thereafter.

89 (4) Upon appropriation of funds to the Missouri family training fund for special
90 education and every two years thereafter, during the fourth quarter of the state fiscal year

91 meetings shall be held during which representatives of local organizations responsible for
92 the distribution of the informational product described within this subsection shall review
93 and comment upon the accuracy of the product produced by the Missouri family training
94 program for special education in cooperation with the Missouri department of elementary
95 and secondary education's division of special education. Each meeting will include
96 representatives of the Missouri department of elementary and secondary education's
97 division of special education and representatives of the recipient of the Missouri family
98 training program for special education grant.

99 (a) The meeting to review and comment upon the accuracy of the special education
100 version of this informational product shall also include equal representation of parent
101 advocates and local district representatives who are current members of Missouri's special
102 education advisory panel for Individuals with Disabilities Education Act. The total
103 number of participants in this meeting shall be limited to ten persons.

104 (b) The meeting to review and comment upon the accuracy of the early intervention
105 version of this informational product shall also include equal representation of parent
106 advocates and representatives of system point of entry contractors and early intervention
107 service coordination providers who are current members of Missouri's state interagency
108 coordinating council for first steps. The total number of participants in this meeting shall
109 be limited to ten persons.

110 6. The department of elementary and secondary education shall promulgate rules
111 and regulations for the implementation of this section. No rule or portion of a rule
112 promulgated pursuant to the authority of this section shall become effective unless it has
113 been promulgated pursuant to the provisions of chapter 536, RSMo.